G.R.S. IX—5]

Previous references:
1 & a 320-15-24.

1923-24

File No. 38-23

Serial Nos. 1 & 2

Later references.
S.P. 3-48-1m

Presented By [illegible]

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

Part B for January 1924.

SUBJECT

Sanja per pension drawn by late Mahboob Alikkan to his sister's son Abidul Aly

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a1 2

To The Superintendent Bangalore
Comptr
No. 4041-2 A/ 30-1-24
Directs that the pension may be continued to Pattekathu who is the sister of the deceased pensioner Mahboob Alikkan

4/2/24

1685 P 1209

G. R. S. III-21

General and Revenue Secretariat. | SJA File No. 38 of 1923

Serial No.	
1	From DC Bangalore, No P 311 q/22 dt 26.9.23. Requests sanction for the continuance of the Sanjapur pension of Rs 0-15-6 drawn by late Mahboob Ali Khan to his sister's son - Abdul Aziz Khan 1) on the death of Hayath Khan in 1915, his pension of Rs 0-15-6 was continued to his son - Mahboob Ali Khan in G.O. No H 6298-9/SJA 320-15-4 dt 9.6.1916. 2) The DC Bangalore now reports ~~the death~~ that the above pensioner - Mahboob Ali Khan died 20.8.1922, ~~without issue~~ unmarried. His sister Pathe Khathun, who is the only surviving heir, prays that the pension may be continued to her son - Abdul Azeez Khan & the D.C. recommends her prayer. 3) These pensions are hereditary grants and are generally governed ~~by~~ according to Mahomedan Law of Inheritance. 4) Submitted for orders, with a draft, sanctioning the D.C's recommendation. 5) Whether the deceased pensioner's/10 Sister's Son is under the Mahomedan Law entitled to succeed to the hereditary claims of the family is a point on which it seems necessary to consult the Local Legislative Secretary.

NOTE—Contn. sheet.

Secy) Hon'ble Minister 8/10/23
Dy Secy (for Comptr) Secy (for Comptr) 10/10

G. R. S. III-21

General and Revenue Secretariat.

S&A File No. 38 of 1923.

120

21

Serial No.

7) If as stated in the notes, the pension is heriditary and follows the Muhammadan Law of succession, it cannot be continued in the name of Abdul Aziz Khan, who is no heir at all to his deceased maternal uncle. He is excluded by his mother who is living, and any consent on her part cannot clothe her son with the rights of a heir. Pensions are not transferable and in the present case, the pension may be continued to the rightful claimant viz. Sister of the deceased & not in the name of her son. When she dies, and if Abdul Aziz Khan is alive then, the latter will be entitled to claim the same along with any other heirs that may be living then.

Put Secty with compliments

Secy 1871

Secy 8) Clean neat draft as above opinion

Secy 9) Revised draft submitted.

Secy draft may be read

21/1 Dewan Bro

Chief Secy

DEWAN'S OFFICE
Rcvd. on JAN 24 1923
Reg. No. 5146

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat.	SA File No. 38	of 1923

Serial No.	
2	Do Dt. Bangalore & Comptroller, X no 6041-2 dy 30.1.24 Sanctions the Vacant pension of Rs 0-10 to Pathe Khathun - Sister of the deceased pensioner — Inabbok Ali Khan

NOTE—Contn. sheet.

11631

From

The Deputy Commissioner
Bangalore Dt.
Bangalore

To

The Financial Secretary
to the Government
of Mysore

Dated

Despatched 28-9-23

Received

General No. P 311 of 22-23

No.

Enclosure No. One file

Solicits sanction — ✓
for continuance of Mahabul-
Ali Khan's stipendiary to his nephew
Abdul Aziz Khan.

Proceedings of the Govt.of H.H.
the Maharaja of Mysore.

R e a d :-

G.O.No.Fl.6298-9/ S & A.020-15-4 dated 9th June 1915 sanctioning a - Sarjapur Jaghir pension of Rs.0-15-6 p.m to Mahboob Ali Khan.

2. Correspondence ending with letter No.P.311 dated 28th September 1923 from the Deputy Commissioner, Bangalore Distric reporting on the petition of Phathe Khath that pensioner Mahboob Ali Khan died on 20th August 1922 unmarried, leaving his - sister -Phathe Khathu as his next heir and recommending the grant of the petitioner's (Phathe Khathu) prayer to contin the pension in the name of her son-Abdul Aziz Khan.

Order No. Je 4041-2/S+A38-23

Dated 30.1.24.

The pension being herditary cannot be continued in the name of Abdul Aziz Kh who is no heir according to the Mahomedan Law of succession to his deceased maternal uncle. He is excluded by his mother who is now living and consent on her part - cannot clothe her son with the rights of a heir. Pensions are not also transferable. ~~and~~ Government therefore direct that the pension may be continued ~~in the present case to the lawful heir viz.~~, Pathe Khathu who is the sister of the deceased, ~~with arrears from the date of the death of Mahboob Ali Khan~~

2. The question of continuing the pension to Abdul Aziz Khan arises only after the death of his - mother.

Financial Secretary to Govt.

To

The Deputy Commissioner, Bangalore.
returning the records.
The Comptroller, Mysore Govt.

MK.